

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MURS 4407
Clinton/Gore '96 Primary Committee,) and 4544
Inc., and Joan Pollitt, as)
treasurer;)
Democratic National Committee,)
and Carol Pensky, as treasurer;)
President William J. Clinton;)
Vice President Albert Gore, Jr.;)
Clinton/Gore '96 General Committee,)
Inc., and Joan Pollitt, as)
treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session on February 10,
1998, do hereby certify that the Commission decided by a vote
of 5-0 to take the following actions in MURs 4407 and 4544:

1. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, made excessive contributions to the Clinton/Gore '96 Primary Committee, Inc. and President William J. Clinton in violation of 2 U.S.C. § 441a(a)(2)(A);
2. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., its treasurer, Joan Pollitt, and President William J. Clinton accepted excessive contributions from the Democratic National Committee in violation of 2 U.S.C. § 441a(f);
3. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc. its treasurer, Joan Pollitt, and President William J. Clinton exceeded the expenditure limitation for the 1996 Presidential nominating process in violation of 2 U.S.C. §§ 441a(b)(1)(A) and (f) and 26 U.S.C. § 9035(a);

(continued)

4. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, exceeded the coordinated party expenditure limitations in violation of 2 U.S.C. § 441a(f).;
5. Find reason to believe that the Clinton/Gore '96 General Committee, Inc., its treasurer, Joan Pollitt accepted excessive contributions from the Democratic National Committee in violation of 2 U.S.C. § 441a(f);
6. Find reason to believe that President William J. Clinton and Vice President Albert Gore, Jr. accepted excessive contributions from the Democratic National Committee in violation of 2 U.S.C. § 441a(f);
7. Find reason to believe that the Clinton/Gore '96 General Committee, Inc., its treasurer, Joan Pollitt exceeded the expenditure limitation for the 1996 Presidential general election in violation of 2 U.S.C. §§ 441a(b)(1)(B) and 441a(f);
8. Find reason to believe President William J. Clinton and Vice President Albert Gore, Jr. exceeded the expenditure limitation for the 1996 Presidential general election in violation of 2 U.S.C. §§ 441a(b)(1)(B) and 441a(f);
9. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, failed to properly report coordinated party expenditures and contributions that it made to the Clinton/Gore '96 Primary Committee, Inc. and to the Clinton/Gore '96 General Committee, Inc. and President William J. Clinton in violation of 2 U.S.C. § 434(b)(4);

(continued)

10. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc. and its treasurer, Joan Pollitt, failed to report in-kind contributions that it received from the Democratic National Committee as contributions and expenditures, in violation of 2 U.S.C. §§ 434(b)(2)(C) and 434(b)(4) and 11 C.F.R. §§ 104.13(a)(1) and 104.13(a)(2);
11. Find reason to believe that the Clinton/Gore '96 General Committee, Inc. and its treasurer, Joan Pollitt, failed to report in-kind contributions that it received from the Democratic National Committee as contributions and expenditures, in violation of 2 U.S.C. §§ 434(b)(2)(C) and 434(b)(4) and 11 C.F.R. §§ 104.13(a)(1) and 104.13(a)(2);
12. Find reason to believe that the Democratic National Committee and its treasurer, Carol Pensky, disbursed funds from its non-federal account in connection with a federal election in violation of 2 U.S.C. 441b(a) and 11 C.F.R. § 102.5(a);
13. Find reason to believe that the Clinton/Gore '96 Primary Committee and its treasurer, Joan Pollitt, the Clinton/Gore '96 General Committee and its treasurer, Joan Pollitt, President William J. Clinton and Vice President Albert Gore knowingly accepted prohibited contributions in violation of 2 U.S.C. § 441b(a);
14. Authorize the Office of the General Counsel to depose the following individuals: Dick Morris, Robert Squier, William Knapp, Erskine Bowles, Leon Panetta, Harold Ickes, Terry McAuliffe, Jo Miglino, Hank Sheinkopf, Marius Penczner, Mark Penn, Doug Schoen, George Stephanopoulos, Doug Sosnik, Jamie Sterling Betsy Steinberg, Marsha Scott, and Peter Knight;

(continued)

15. Authorize the Office of General Counsel to subpoena documents from the following individuals and entities:

Dick Morris, Robert Squier, William Knapp, Erskine Bowles, Leon Panetta, Harold Ickes, Terry McAuliffe, Jo Miglino, Hank Sheinkopf, Marius Penczner, Mark Penn, Doug Schoen, George Stephanopoulos, Doug Sosnik, Peter Knight, Jamie Sterling, Betsy Steinberg, Marsha Scott, the Clinton/Gore '96 Primary Committee, Inc., and its treasurer, Joan Pollitt, the Clinton/Gore '96 General Committee, Inc., and its treasurer, Joan Pollitt, the Democratic National Committee, and its treasurer, Carol Pensky, Squier Knapp Ochs Communications, the November 5 Group, Inc., President William J. Clinton, Vice President Al Gore, Jr., and the Executive Office of the President;

16. Approve the subpoenas recommended in the General Counsel's January 20, 1998 memorandum;
17. Approve the Factual and Legal Analyses recommended in the General Counsel's January 20, 1998 memorandum; and
18. Approve appropriate letters.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

2-12-98
Date

Marjorie W. Emmons
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Secretary of the Commission